

SENATE BILL No. 211

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-38.

Synopsis: Electronic copies of sentencing information. Allows a court to: (1) send copies of presentence reports, presentence memoranda, certain physical or mental examination reports, and certain information concerning pleadings to the department of correction (department); and (2) certify copies of judgments of conviction and sentences to receiving authorities; through a validated electronic means approved by the department.

Effective: July 1, 2008.

Bray

January 8, 2008, read first time and referred to Committee on Judiciary.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 211

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-38-1-14 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. (a) If a convicted
3 person is sentenced to a term of imprisonment, the court shall send a
4 copy of:

- 5 (1) the presentence report;
- 6 (2) any presentence memorandum filed by the convicted person;
- 7 (3) the report of any physical or mental examination made
- 8 incident to the question of sentence; and
- 9 (4) any record made under IC 35-35-2;

10 to the department of correction.

11 (b) **Copies of the information sent to the department of**
12 **correction under subsection (a) may be sent through a validated**
13 **electronic means approved by the department of correction.**

14 SECTION 2. IC 35-38-3-2 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) When a convicted
16 person is sentenced to imprisonment, the court shall, without delay,
17 certify, under the seal of the court **or through a validated electronic**



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1 **means approved by the department of correction,** copies of the
2 judgment of conviction and sentence to the receiving authority.

3 (b) The judgment must include:

4 (1) the crime for which the convicted person is adjudged guilty
5 and the classification of the criminal offense;

6 (2) the period, if any, for which the person is rendered incapable
7 of holding any office of trust or profit;

8 (3) the amount of the fines or costs assessed, if any, whether or
9 not the convicted person is indigent, and the method by which the
10 fines or costs are to be satisfied;

11 (4) the amount of credit, including credit time earned, for time
12 spent in confinement before sentencing; and

13 (5) the amount to be credited toward payment of the fines or costs
14 for time spent in confinement before sentencing.

15 (c) The judgment may specify the degree of security recommended
16 by the court.

17 (d) A term of imprisonment begins on the date sentence is imposed,
18 unless execution of the sentence is stayed according to law.

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